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SUBJECT: SINGAPORE TO ALLOW COMPENSATION FOR ORGAN DONORS

REF: 08 SINGAPORE 978

Classified By: Ambassador Patricia L. Herbold for reasons 1.4(b)and(d)

¶1. (SBU) SUMMARY: The Singapore Ministry of Health (MOH) has announced plans to amend the Human Organ Transplant Act (HOTA) in early 2009 to allow monetary compensation for donors, among other changes. The announcement followed an unusually extensive public debate about legalizing the organ trade, which began in July after prominent Singapore businessman TANG Wee Sung was caught trying to buy a kidney from an Indonesian man he falsely claimed as a relative (reftel). On December 15, MOH concluded a 30-day public consultation period during which the Singapore Medical Association (SMA) registered its ongoing concerns about legalizing compensation for organ donors, particularly living unrelated donors. It is unclear when MOH will enact the amendments to the HOTA, but it appears to be moving quickly despite SMA concerns and the fact that MOH itself opposed compensation just six months ago. End Summary.

¶2. (C) COMMENT: The evolution of policy toward organ trading follows a familiar pattern that reflects both the GOS sensitivity to public opinion and its willingness to apply free-market solutions to complex social issues in Singapore. Tang's prosecution highlighted the dire organ shortage in Singapore and generated public sympathy for his plight. Press reports and published opinion pieces by influential Singaporeans, including LEE Wei Ling, a neuroscientist and daughter of Singapore founding father LEE Kuan Yew, were largely sympathetic to Tang, detailing his numerous health problems and suggesting that anyone might have done the same thing under similar circumstances. The GOS then responded quickly, appearing to use a carefully orchestrated public debate to gauge and perhaps sway public opinion before moving forward with the proposed legislative changes. Tang will likely be among the first to legally pay for a kidney when the amendment is passed, likely in early 2009. End Comment.

Kidneys for Sale

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¶3. (SBU) The Singapore Ministry of Health (MOH) has announced plans to amend the Human Organ Transplant Act (HOTA) to allow monetary compensation for organ donors to help alleviate Singapore's donor organ shortage. Other amendments to the HOTA will include raising to above 60 the maximum age limit for cadaveric donors and allowing paired matching of organs (when two related people are incompatible donors but can be matched with another incompatible donor/recipient pair). MOH aims to deter middlemen who might broker organ-trade arrangements for profit by increasing the maximum fine and prison sentences for organ brokering to S\$100,000 (US\$66,600) and 10 years.

¶4. (SBU) Minister of Health KHAW Boon Wan indicated in public statements that MOH will follow international ethics standards that conditionally support compensation. Minister KHAW tasked MOH with analyzing the costs a donor might incur as part of a transplant and follow-up care as it develops guidelines for a compensation scheme. Organ recipients will bear the cost of compensating the donor, but third-party organizations may assist with fundraising for recipients who

cannot afford to pay donors. Minister Khaw has indicated there should be parity between compensation for Singaporean and foreign donors. On December 15, MOH concluded a 30-day public consultation period on proposed changes to the HOTA. Once MOH completes its review of feedback received during the public consultation period, the proposed amendments will be discussed again in Parliament, Benjamin Koh, MOH Deputy Director for Hospital Services told Econoff January 2.

Medical Association Uneasy

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¶ 15. (SBU) The Singapore Medical Association (SMA), which has opposed compensating organ donors, submitted feedback to MOH during the public consultation period, but it is unclear whether MOH will adopt any of SMA's suggestions, Dr. CHONG Yeh Woei, first Vice President of SMA, told Econoff December ¶ 130. SMA recommended that MOH carefully word any changes to the law and use the term "reimbursement" as opposed to "payment" or "compensation" to keep the legislation in line with World Health Organization (WHO) and Declaration of Istanbul on Organ Trafficking and Transplant Tourism guidelines on organ transplantation. SMA also advised MOH to adopt more stringent regulations and checks for living unrelated organ transplants, and limit the amendment to allow monetary reimbursements for Singaporeans and permanent residents only.

¶ 16. (SBU) In response to the fast moving debate on the issue, SMA also quickly organized a closed-door ethics convention on November 12 that involved participants from the SMA, U.S.-based Hastings Center, the WHO, and MOH, among others. Conference participants reiterated accepted international guidelines on organ transplants and warned that legalizing organ trading to encourage donors to come to Singapore could induce other countries to adopt unethical practices. Allowing compensation is a "slippery slope" and a sum of money that might be reimbursement for one person could constitute inducement for another, especially if the donor is from a poor country, Dr. Chong stated, adding that one WHO participant told him "the world is watching Singapore." SMA does not want Singapore to become a hub for the brokering of human organs, Chong said.

¶ 17. (SBU) Dr. Chong wondered why MOH suddenly decided to take up the issue of compensating organ donors, given that the shortage of donor organs has been an issue for sometime. But with the notoriety of the Tang case public opinion seems to have shifted in favor of legal organ trading. Many Singaporeans seem to think Tang should not have been penalized for trying to buy a kidney, he added.

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